

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department - Sri Y.Samuel, (Retired) Extension Officer (PR&RD), SPSR Nellore District - Committed certain irregularities while working as Senior Assistant, MPP, H.M.Padu, Prakasam District - Disciplinary action initiated under Rule 20 of A.P. Civil Service (CC&A) Rules, 1991– Charged Officer demised – Further disciplinary action abated subject to recovery of loss if any under Rule 9 (7) of A.P. Revised Pension Rules, 1980 - Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.RT.No. 559

Dated: 27-08-2019

Read the following:

1. From the Commissioner of Panchayat Raj & Rural Employment Hyd., Lr.No.3529/CPR-K1/2003, dated:16.11.2009.
2. Procgs.No.D1/820/03, dated:01.07.2003 of the Disitrect Collector, Nellore
3. From the Commissioner, PR&RE, Memo No.3529/CPR/K1/03, dated:12.01.2006
4. Procgs.No.3529/CPR/K1/03, dated:09.07.2007 of the CPR&RE, AP, Hyderabad
5. From the CEO, ZPP, Prakasam, Lr.No. P6/7938/2002, dated:01.11.2008
6. Procgs.No.3529/CPR/K1/03, dated:09.01.2009 of the CPR&RE, AP, Hyderabad
7. Govt., Memo.No.23656/Vig.IV/A2/2009-1, dated:21.5.2010.
8. Explanation letter received from Sri. Y.Samuel, EO(PR&RD), dated:23.07.2014
9. From the Commissioner, PR&RE, Hyd., Lr.No.3529/CPR-G2/2003, dated:14.07.2014.
10. G.O.Rt.No.462, PR&RD (Vig.IV) Department, Dated: 11.05.2015
11. From the DPR&RD, Tadepalli, A.P., Guntur district, e-file PRR02-22022(33)/1/2019-G-COMMR PRRD, dated: 26.04.2019
12. From the Chief Executive Officer, Zilla Praja Parishad, Ongole, Rc.No.E1/2180/2018, dated:10.10.2018
13. Representations received from Sri Y.Sunil Kumar, and other children of Sri.Y Samuel,E.O.(PR&RD)(Retd.)(Expired), dated: 1-7-2019 and 15.07.2019

ORDER:

In the reference 2nd read above, the District Collector, Nellore has initiated disciplinary action duly framing article of charges against Sri Y.Samuel, (Retired) Extension Officer (PR&RD), SPSR Nellore District, as he has committed certain serious financial irregularities during his tenure as Senior Assistant in Mandal Praja Parishad (MPP), H.M. Padu, Prakasam District. The Charged Officer has acknowledged by him on 31.01.2006. In the reference 4th read above, the Commissioner PR&RD was appointed the Deputy Chief Executive Officer, Zilla Praja Parishad, Prakasam as Inquiry Officer to conduct the Enquiry into matter. In the reference 5th read above, the Deputy Chief Executive Officer and I.O. had submitted Inquiry Report with the following findings:

“In view of the submissions made above, it is clear that Sri Y. Samuel has swallowed an amount of Rs.1,62,900/- of P.V.P. funds duly making forged signatures of Sri P. Purnachandra Rao, Supdt & MPDO (FAC) and Smt. E. Umamaheswari, MPDO.”

2. In the reference 6th read above, the Inquiry Report was communicated to the Charged Officer and it was acknowledged by the delinquent officer on 10.2.2009. However, he did not submit any reply. The CPR&RE, has requested the Govt., to issue final orders in the matter as per provisions contained under Rule 9

(PTO)

of A.P. Revised Pension Rules, 1980 since the delinquent officer was retired on 31.07.2008 on attaining the age of superannuation.

3. In the reference 7th read above, show cause notice was issued by the Government against the Charged Officer as to why a penalty of forfeiture of all the retirement benefits including pension and recovery of the amount misappropriated of Rs.1,62,900/- on him. The Show Cause Notice was served to the individual on 22.06.2010.

4. In the reference 8th read above, Sri Y.Samuel, retired Extension Officer (PR&RD), SPSR Nellore District was submitted his explanation, along with Judgment copy of Judicial Magistrate First Class, Kanigiri, Prakasam district in Criminal Case No.15/2004, in which he was acquitted under Sec.248(1) Cr.P.C.

5. As the matter stood thus, in the reference 10th read above, on the request of the Commissioner, PR&RE vide reference 9th read above, Sri.Y.Samuel, retired Extension Officer (PR&RD), SPSR Nellore District was sanctioned provisional pension to an extent of 75% of the normal eligible pension under Rule 52 of AP revised Pension Rules, 1980, as the disciplinary case is pending against him.

6. In the reference 11th read above, the Director, PR&RD, Tadepalli, A.P., Guntur district, was submitted that criminal proceedings initiated against the charged officer vide CC No. 15/04 before the Hon'ble Judicial Magistrate First Class, Kanigiri, Prakasam district was disposed of vide Judgement, dated:18.08.2008, acquitting the Accused Officer U/s 248 (1) of Cr.P.C. as the prosecution failed to prove the case against the accused. Also stated that in the departmental enquiry it was held that the signatures were forged, but the same was not proved in the judicial enquiry. Further, informed that the Charged Officer was expired on 17.04.2017 and requested for orders of Government.

7. In the reference 13th read above, the Children of Sri Y.Samuel,EO(PR&RD) (Retd)(expired) have represented that they did not get any pensionary and retirement benefits of their father till date, and requested to sanction the same duly deducting the amount due to the Govt. They subsequently represented that since their father was found not guilty in C.C.No:15/2014 as per the Court orders available they requested to release all the benefits of their father.

8. Government, after careful examination of the matter with reference to material on record, findings of the Inquiry Authority, explanation submitted by the individual, remarks submitted by the Commissioner, PR&RD and representation of Sri. Y.Samuel's Children, have decided "to abate further disciplinary action against Sri Y.Samuel, (PR&RD), SPSR Nellore District subject to recovery of amount of loss caused by the individual to the Govt., under Rule 9 (7) of A.P. Revised Pension Rules, 1980."

9. Accordingly, Government hereby abate further disciplinary action against Sri Y.Samuel, E.O(PR&RD) (Retd.)(Expired) SPSR Nellore District in the above disciplinary case subject to recovery of amount of loss caused by him if any to the Government under Rule 9 (7) of A.P. Revised Pension Rules, 1980.

10. The Commissioner, PR&RD, A.P., Tadepalli, Guntur District/ the Chief Executive Officer, Z.P.P. Prakasam District shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Commissioner, PR&RD, A.P., Tadepalli, Guntur District
The Legal Heirs of Sri Y. Samuel, Retd EO (PR&RD)
through the C.E.O., Z.P.P., Prakasam Dist.

Copy to:

The Secretary to VC, APVC, A.P. Secretariat, Velagapudi

(Contd...)

- 3 -

The District Treasury Officer, Prakasam District.
The Accountant General (A&E), A.P., Hyderabad.
Sf/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER